



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

CURTIS SHEPHERD,	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action No.: 3:22-1799-MGL
	§	
WELLS FARGO BANK N.A. TRUST	§	
COMPANY, <i>as Trustee Failure to Comply with</i>	§	
<i>Pooling and Serving Agreement as Bank</i>	§	
<i>Custodian</i> ; ROGERS TOWNSEND &	§	
THOMAS; <i>Lender Processing Services, Inc.</i>	§	
LENDER PROCESSING SERVICES, INC.;	§	
LPS DEFAULT SOLUTIONS, INC.; DOCX	§	
MORTGAGE; ELECTRONIC	§	
REGISTRATION SYSTEMS, INC., <i>as</i>	§	
<i>Nominee for Lender and Lender's Successors</i>	§	
<i>and Assigns</i> ; WELLS FARGO BANK, N.A.;	§	
JASON T. MOSS; JOHN J. HEARN; JASON	§	
D. WYMAN; KEVIN T. BROWN; and	§	
CYNTHIA THOMAS,	§	
Defendants.	§	

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
AND SUMMARILY DISMISSING PLAINTIFF'S COMPLAINT WITHOUT  
PREJUDICE AND WITHOUT ISSUANCE AND SERVICE OF PROCESS AND  
DENYING PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER  
AND PERMANENT INJUNCTION AS MOOT**

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Plaintiff Curtis Shepherd (Shepherd), proceeding pro se, filed a complaint against the above-named Defendants, seeking an injunction against fraud under 18 U.S.C § 1345.

This matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge recommending the Court summarily dismiss the complaint without prejudice and without issuance and service of process and deny as moot Shepherd's

motion for temporary restraining order and permanent injunction. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on July 7, 2022. To date, Shepherd has failed to file any objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845–46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case under the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court Shepherd’s complaint is summarily **DISMISSED WITHOUT PREJUDICE** and without issuance and service of process and Shepherd’s motion for temporary restraining order and permanent injunction is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed this 3rd day of August 2022, in Columbia, South Carolina.

s/ Mary Geiger Lewis  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.